

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

OUTMEMPHIS,

Plaintiff,

v.

**BILL LEE, in his official capacity as
Governor of Tennessee; JONATHAN
SKRMETTI, in his official capacity as
Attorney General and Reporter of
Tennessee;**

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

**STATE OF TENNESSEE, and
TENNESSEE BUREAU OF
INVESTIGATION,**

Defendants.

**Case Nos. 2:23-cv-2670
 2:24-cv-02101**

Chief Judge Lipman

**DEFENDANT TENNESSEE BUREAU OF INVESTIGATION’S
SUPPLEMENTAL MOTION TO DISMISS**

Defendant Tennessee Bureau of Investigation hereby moves under Fed. R. Civ. P. 12(b)(1) and (h)(3) to dismiss the complaint in its entirety because the claim against it is moot. The only allegations in DOJ’s complaint against the TBI relate exclusively to its maintenance of the SOR for those convicted of aggravated prostitution. But after a recent amendment to Tennessee law, those convicted of aggravated prostitution are no longer considered “sexual offenders” of any kind, their registration on the SOR is no longer required, and those currently registered can request to be removed. DOJ’s claim is moot.

Mootness is jurisdictional and may be raised at any stage of the proceedings. Independent from and in addition to the reasons articulated by TBI in its first motion to dismiss (Dkt. 28), mootness requires that TBI be dismissed as a defendant.

Respectfully submitted,

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Attorney General and Reporter

/s/ Cody N. Brandon
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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2024, a true and exact copy of the foregoing was served via the court's electronic filing system upon counsel as follows:

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